

COLLECTION

OF

All the PUBLIC

ACTS OF ASSEMBLY,

OF

The PROVINCE of

NORTH-CAROLINA:

Now in FORCE and USE.

Together with the TITLES of all such LAWS as are Obsolete, Expir'd, or Repeal'd.

And also, an exact TABLE of the Titles of the ACTS in Force.

REVISED by Commissioners appointed by an Act of the GENERAL ASSEMBLY of the said Province, for that Purpose; and Examined with the Records, and Confirmed in full Assembly.



NEWBERN: Printed by JAMES DAVIS, M,DCC,LII.

C H A P. IV.

An Act, to make and confirm that Part of the main Road leading from Bennet's Creek Bridge, to Virginia, joining to Mr. Henry Baker's, in Chowan County, altered, for the Conveniency of the Public, by the adjacent Inhabitants, to be the Main and Public Road.

I. **W** H E R E A S that Part of the main Road joining to *Henry Baker's*, as Preamble. formerly laid out and used, is very hilly, bad, troublesome, and inconvenient for Carts and Carriages, and the Inhabitants adjacent to, and obliged to work on that Part of the Road, have agreed together and altered and turned the said Road, and made it much shorter, better, and more convenient for Carriages and Passengers; and the said Inhabitants, by their Petition, having prayed that such Part of the Road so altered and made by them as aforesaid, may be confirmed and deemed the Public Road:

II. W E pray that it may be Enacted, *And be it Enacted, by his Excellency Gabriel Johnston, Esq; Governor, by and with the Advice and Consent of his Majesty's Council, and General Assembly of this Province, and it is hereby Enacted, by the Authority of the same,* That from and after the Ratification of this Act, that Part of the Public Road from *Bennet's Creek*, in *Chowan County*, leading by *Henry Baker's*, so altered and made as aforesaid, be confirmed and deemed Part of the Public Road, and no other; and that the Persons obliged to work on and maintain the old Road, be, and are hereby compelled to work on and maintain the Road so altered; any Law, Custom, or Usage, to the contrary, notwithstanding, Public Road declared.

C H A P. V.

An Act, to appoint Constables.

I. **T** O the End that Constables may be regularly appointed, throughout this Government;

II. W E pray that it may be Enacted, *And be it Enacted, by his Excellency Gabriel Johnston, Esq; Governor, by and with the Advice and Consent of his Majesty's Council, and the General Assembly of this Province, and it is hereby Enacted, by the Authority of the same,* That the Courts of the several Counties which now are, or hereafter shall be, within this Government, shall, at the Court to be holden for each respective County in this Government, next after the First Day of *January*, Yearly, and every Year, nominate and appoint as many Persons of their said County as they shall judge necessary, to be Constables within the same, for the then ensuing Year; which Constables so appointed, shall have the following Oath administered to them; that is to say, County Courts Yearly to appoint Constables.

Y O U shall swear, *That you will well and truly serve our Sovereign Lord the King, in the Office of a Constable; you shall see and cause his Majesty's Peace to be well and duly preserved and kept, according to your Power; you shall arrest all such Persons as, in your Sight, shall ride or go armed offensively, or shall commit or make any Riot, Affray, or other Breach of his Majesty's Peace; you shall do your best Endeavour, upon Complaint to you made, to apprehend all Fellons and Rioters, or Persons riotously assembled; and if any such Offenders shall make Resistance, with Force, you shall make Hue and Cry, and shall pursue them, according to Law;* Constable's Oath.
you

A. D. 1741.

Sherif or Goaler
taking greater
Fees, to forfeit
10 s.

Money, and no more: And if any Sheriff, in any County of this Government, or Keeper of the Public Goal, shall demand or take any greater Fee or Allowance than is hereby before appointed and allowed, for the Services and Maintenance aforesaid, or any of them, he or they so offending, shall, for every Offence, forfeit and pay to the Party greived, the Sum of Twenty Shillings, Proclamation Money, and shall also refund and pay back to the Parties, such Sum of Money which such Sheriff or Goaler shall receive and take, over and above the Fees and Allowances herein before appointed; which said Forfeiture of Twenty Shillings, shall and may be recovered by a Warrant from any Justice of the Peace of the County where such Offence shall be committed.

Runaways sup-
posed to belong
to other Govern-
ments, Goaler to
send thither a
Description of
them.

XXXIX. *AND be it further Enacted, by the Authority aforesaid, That when any Negro or other Runaway whose Owner is supposed to be resident in any other Province, shall be committed to any Public Goal of this Government, the Keeper of the said Goal shall, by the first Opportunity after such Commitment, send a Description of such Negro or Runaway, together with the Account of the Time of the Commitment, and the County where such Runaway is committed, to the Press, to be advertised in the Virginia, or South-Carolina Gazette; for which he shall be reimbursed by the Owner of the said Slave or Runaway.*

Slaves not to go
armed.

XL. *AND be it further Enacted, by the Authority aforesaid, That no Slave shall go armed with Gun, Sword, Club, or other Weapon, or shall keep any such Weapon, or shall hunt or range with a Gun in the Woods, upon any Pretence whatsoever, (except such Slave or Slaves who shall have a Certificate, as is herein after provided;) and if any Slave shall be found offending herein, it shall and may be lawful for any Person or Persons to seize and take, to his own Use, such Gun, Sword, or other Weapon, and to apprehend and deliver such Slave to the next Constable, who is enjoined and required, without further Order or Warrant, to give such Slave Twenty Lashes, on his or her bare Back, and to send him or her home; and the Master or Owner of such Slave shall pay to the Taker-up of such armed Slave, the same Reward as by this Act is allowed for taking up of Runaways.*

Offenders may be
taken up, their
Arms took from
them, and they
whipped.

One Slave on a
Plantation ex-
cepted.

XLI. *PROVIDED always, That nothing in this Act shall be construed or extended, to prohibit or debar any Master or Owner of any Slave or Slaves within this Government, from employing any one Slave in each and every distinct Plantation, from hunting in the Woods on their Master's Lands with a Gun, to preserve his or her Stock, or to kill Game for his or her Family.*

Such Slave to car-
ry a Certificate.

XLII. *PROVIDED also, That such Master or Owner shall first deliver in- to the County Court, an Account, in Writing, of the Name of any such Slave to be employed as aforesaid; and the Chairman of the Court shall sign a Certificate that such Slave is allowed to carry a Gun, and hunt in the Woods on his Master or Mistress's Lands: And the Master, Mistress, or Overseer of such Slave shall give him the said Certificate, which such Slave shall always carry about him, on Pain of being apprehended and punished as aforesaid: Any Thing herein before contained to the contrary, notwithstanding.*

Slaves not to go
off the Plantation
without Leave,
(Livery Slaves
excepted.)

XLIII. *AND be it further Enacted, by the Authority aforesaid, That no Slave shall go from off the Plantation or Seat of Land where such Slave shall be appointed to live, without a Certificate of Leave, in Writing, for so doing, from his or her Master or Overseer, (Negroes wearing Liveries always excepted.)*

Slaves not to raise
Stock.

XLIV. *AND be it further Enacted, by the Authority aforesaid, That no Slave shall be permitted, on any Pretence whatsoever, to raise any Horses, Cattle, or Hogs; and all Horses, Cattle, and Hogs, that, Six Months from the Date here-
of,*